

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

**TORANCE TORRELL WASHINGTON  
ADC # 121072**

**PLAINTIFF**

**v.**

**4:09-cv-00670-BSM-JJV**

**LARRY NORRIS, Director, Arkansas Department  
of Correction; LEROY BROWNLEE, Chairman,  
Arkansas Parole Board; MARSHALL DALE  
REED, Warden, Ouachita River Correctional  
Unit, Arkansas Department of Correction; and  
CLEO SMITH, Coordinator, RSVP Program,  
Ouachita River Correctional Unit, Arkansas  
Department of Correction**

**DEFENDANTS**

**ORDER**

The court has reviewed the proposed findings and recommended disposition submitted by United States Magistrate Judge Joe J. Volpe and the objections of the parties. After carefully considering the objections and making a *de novo* review of the record in this case, the court concludes that the proposed findings and recommended disposition should be, and hereby are, approved and adopted in their entirety as this court's findings in all respects.

IT IS THEREFORE ORDERED that this action is DISMISSED with prejudice, and dismissal of this action shall count as a "strike" for purposes of 28 U.S.C. § 1915(g).<sup>1</sup>

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<sup>1</sup> Title 28 U.S.C. § 1915(g) provides that: "In no event shall a prisoner bring a civil action or appeal a judgment in a civil action under this section if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted . . . ."

The court FURTHER CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this order and judgment would not be taken in good faith.

DATED this 9th day of October, 2009.

A handwritten signature in cursive script that reads "Brian S. Miller".

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UNITED STATES DISTRICT JUDGE